



State of New Jersey

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Dear Interested Party:

I am pleased to release the draft Statewide Solid Waste Management Plan for review by the New Jersey Advisory Council on Solid Waste Management, by county and local officials, and by interested members of the public.

You will see that the draft Plan documents a troubling decline in New Jersey's recycling rates, uneven performance among relevant agencies with respect to planning and enforcement, and inadequate funding to promote recycling and long-term solid waste management planning. More fundamentally, court decisions limiting the role of solid waste flow control by state and local agencies call into question the very structure and efficacy of New Jersey's current solid waste management laws, as reflected in immediate problems of stranded debt and the long-term failure to plan and create new and long-term solid waste management capacity.

As you begin your review of the draft Plan, the Department will begin to implement many of the initiatives identified, starting with a concerted set of recycling compliance and enforcement measures. We also have begun a dialogue concerning restoration of dedicated funding for recycling programs. I invite the Council and the public to help us strengthen these and other aspects of the draft Plan as we move forward.

I would also call attention to a number of areas where the Plan breaks new ground, in the hope that these particular aspects of the Plan might have the benefit of further review and input. For example, the legislative initiatives suggested in the Plan bring new attention to commercial product responsibility and stewardship, including proposals on toxic packaging, mercury-containing products, and electronics recycling. The draft Plan would benefit from further attention to waste minimization and waste reduction proposals. In addition, for the first time, the draft Plan presents contingency planning for the significant solid waste challenges that might result from a terror event or natural disaster. The Council and the public will play a critical role in shaping these initiatives.

In addition, I believe there are a number of areas where the draft Plan, in its current form, requires strengthening to meet New Jersey's needs and where the perspective of the Council and the public can be most helpful. First, I hope that the final Plan can identify additional areas in which regulatory reform would contribute to more rational and cost

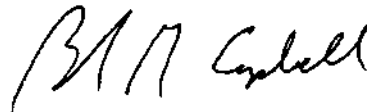
effective solid waste management and planning, and where such reform would reconcile an outdated regulatory structure with a solid waste market that has changed dramatically since New Jersey's solid waste management laws were last amended. In particular, I would urge the Council to consider whether it is time for a wholesale phase-out of remaining areas of tipping fee regulation, linked perhaps to dedication of revenues to recycling and capacity development.

Second, the current draft does not adequately address the linkages between solid waste capacity planning and New Jersey's air pollution and traffic congestion. In particular, the Plan would benefit from more specific proposals to shift solid waste transport from trucks to rail and marine facilities.

Finally, the draft does not present a comprehensive solution to the emerging problem of solid and hazardous waste transfer facilities using the federal transportation laws to evade both state and county regulation to protect public health and the environment. While the Department is revising its regulations to meet this challenge and has urged members of New Jersey's congressional delegation to clarify applicable federal law, the Council may have additional ideas and proposals to meet this challenge.

While there is additional work to do, I applaud Director Norine Binder and former Director John Castner for a draft Plan that gives long-overdue attention to New Jersey's solid waste management challenges. I look forward to your leadership, and the views of the public, in revising and finalizing the Plan before the end of 2005.

Sincerely,

A handwritten signature in black ink, appearing to read "B M Campbell". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Bradley M. Campbell
Commissioner